

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

In the Matter of)	
)	
Request by Acconeer AB)	ET Docket No. 21-48
For Waiver of Section 15.255)	
of the Commission's Rules)	

**REPLY COMMENTS OF ACCONEER AB
IN SUPPORT OF WAIVER REQUEST**

Acconeer AB (“Acconeer”) has requested waiver^{1/} of Section 15.255(c)(3) of the Federal Communications Commission’s (“FCC” or “Commission”) rules.^{2/} Acconeer has demonstrated that grant of the waiver will allow it to market a 60 GHz short-range radar system that provides important vehicle safety and security features. Additionally, Acconeer has shown that its request is consistent with the intent of the rule and Commission precedent. Many others agree, supporting Acconeer’s request and demonstrating the important safety and lifesaving aspects that the sensors can provide.^{3/} For these reasons, the Commission should move forward to quickly grant Acconeer’s request.

^{1/} *Acconeer AB Request for Waiver of Section 15.255 of the Commission’s Rules*, ET Docket No. 21-48 (filed Dec. 23, 2020) (“Waiver Request”).

^{2/} 47 C.F.R. § 15.255(c)(3).

^{3/} Supportive comments were filed by Alliance for Automotive Innovation, Alps Alpine Co., Ltd, NEXTY Electronics Corporation, and Volvo Car Corporation. *See* Letter from Hillary M. Cain, Vice President – Technology, Innovation, & Mobility Policy, Alliance for Automotive Innovation, to Marlene H. Dortch, Secretary, Federal Communications Commission, ET Docket No. 21-48 (filed March 12, 2021) (“AAI Letter”); Letter from Yuji Ouchi, Alps Alpine Co., Ltd., to Marlene H. Dortch, Secretary, Federal Communications Commission, ET Docket No. 21-48 (filed March 9, 2021) (“Alps Alpine Letter”); Letter from Kyoichi Yamamoto, Team Leader, NEXTY Electronics Corporation, to Marlene H. Dortch, Secretary, Federal Communications Commission, ET Docket No. 21-48 (filed March 12, 2021) (“NEXTY Letter”); and Letter from Katherine Yehl, Vice President Government Affairs the Americas, Volvo Car Corporation, to

DISCUSSION

Acconeer seeks waiver of Section 15.255 technical requirements to allow it to market a sensor to be installed in vehicles and operate at higher power than what is specified in the rule. The Commission already has found that the underlying purpose of this rule, which is to allow for harmonious operations amongst users, would not be undermined by allowing operations under these same power levels.^{4/} While Acconeer's request includes operations that may be consider both fixed short-range interactive motion sensing and fixed radar applications, the same logic applies to grant of this waiver, as in both instances operations occur in a limited area and do not pose a risk to other users. As demonstrated in the record, good cause exists to grant the waiver.

Acconeer requested that its waiver apply to four use cases within automotive vehicle cabins: passenger detection; seat belt alarm; intruder alarm; and gesture control for vehicle access.^{5/} The commenters support these proposed use cases. Volvo Cars, which is a world leader in automotive safety, "believes that the use of 'short-range devices used for interactive motion sensing' under Section 15.255(a)(2), can enable the innovation in the areas of safety and sustainability, for example in the use cases like occupant reminder, seatbelt reminder, theft prevention systems, supporting advanced airbag systems, and gesture based access control systems."^{6/} Auto Innovators also supports the waiver, explaining that it is vital to a 2020 voluntary commitment made by more than twenty automakers "to equip their vehicles with rear

Marlene H. Dortch, Secretary, Federal Communications Commission, ET Docket No. 21-48 (filed March 12, 2021) ("Volvo Letter").

^{4/} See *Google LLC Request for Waiver of Section 15.255(c)(3) of the Commission's Rules Applicable to Radars used for Short-Range Interactive Motion Sensing in the 57-64 GHz Frequency Band*, ET Docket No. 18-70, Order, 33 FCC Rcd 12542 (OET 2018) ("Google Waiver").

^{5/} Waiver Request at 3.

^{6/} Volvo Letter at 1.

seat reminder systems by Model Year 2025 to help reduce pediatric heatstroke deaths that occur when children are inadvertently left unattended in vehicles.”^{7/} Auto Innovators explains that the sensors enabled by the waiver “will help facilitate the development of innovative technologies that can help achieve these important and life-saving goals.”^{8/}

Two additional supporters, Alps Alpine and NEXTY Electronics, are Tier 1 automotive suppliers. Alps Alpine, which supplies components to most of the world’s automotive manufacturers, states that the “waiver will provide for important safety benefits, including lifesaving benefits of detection of children left in cars.”^{9/} It also explains that it plans to rely on Acconeer’s sensors to meet customer demand.^{10/} NEXTY Electronics, part of Toyota, also supplies components to automotive manufacturers worldwide.^{11/} NEXTY requests that the Commission grant the waiver, explaining that it has evaluated Acconeer’s sensor and has found it to provide the best solution for important safety benefits due to the high accuracy rates, low power consumption, and small form factor.^{12/}

There is no opposition to Acconeer’s request.

Volvo notes its preference that the Commission effectuate a rule change to allow for the types of sensor operations requested herein and in other similar waiver requests.^{13/} Acconeer agrees that regulatory certainty afforded by a rule change ultimately will be beneficial, not only for the automotive sector but also for other industries that may benefit from the use of sensors such as Acconeer’s. However, time is of the essence in allowing for market access for

^{7/} AIA Letter at 1.

^{8/} *Id.*

^{9/} Alps Alpine Letter at 1.

^{10/} *Id.*

^{11/} NEXTY Letter at 1.

^{12/} *Id.*

^{13/} Volvo Letter at 1.

Acconeer's sensors so that automotive suppliers, and ultimately automotive manufacturers, may begin to incorporate into new vehicle models the safety features enabled by the device. A limited, directed waiver is thus appropriate in these circumstances, allowing the Commission time later to consider the scope of any future rule change.

The FCC's waiver process exists for this very situation, where grant of a waiver would further the public interest by allowing new technologies into the U.S. market that provide for important public interest benefits. As the commenters explained, such benefits include allowing the automotive industry to meet its commitments to address the risk of pediatric heatstrokes in vehicles. Additionally, the waiver will not result in any material change to the operating environment of the band, as there is no concern for increased potential harmful interference to other users as a result of the waiver. For these reasons, the FCC's waiver standard has been met and the Commission should move expeditiously to grant Acconeer's request.

Respectfully submitted,

ACCONEER AB

_____/s/_____
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